

US District Court  
Northern District of California

James Edward Lawson

vs

Dan Foy

D smallen

Matt Gauthour

Eureka Parole office /

case #

CV 08 3349 VRW(PR)

Complaint under the civil Rights  
Act 42 U.S.C § 1983

Suplamental Report

Request for addishal defendant(s)

The plaintiff in this above entitled case is acting in FORMA  
pauperis and fills A need to add to the defendants list the warden  
of San Quentin State Prison and the plaintiff counselor malone for  
The reasons of herassment and Violation of Due process Violation of  
Appeals process and Violation of access to the courts and law library or  
supplies for Indgents Inmate as explained in 2007 July the plaintiff  
reported to Matt Gauthour that D smallen was sexually herassing him  
so Matt Gauthour Being the PA III of Eureka parole office changed the  
plaintiff parole agent to Dan Foy But filed to Report Dsmallen to the  
Internal affairs (said) He did not Believe the plaintiff Because smallen was  
A personal friend and co-worker He also did not keep this report of  
sexual misconduct confidential and Past on to the plaintiff new parole agent  
Dan Foy Who at his first meat with the plaintiff informed the plaintiff that  
the word at the parole office was that the plaintiff was A trouble maker and that  
he did plan to send him Back to prison quickly and since thin

false report and dad statement have been written on the plaintiff and blown up to make things seem worse than they were and the parole agents would ask for the maxima time incosistly the plaintiff was finding that the BPT was given him 10months /7months for the same thing he was given others COP for after reading the parole reports and two time The BPT told the plaintiff (Wow your parole agent really don't like you) and all of those dad reports from Smullen/Dan Foy/Matt Gouhnaur all stated After I reported the mishandle sexual misconduct Before that you will find that I had good parole reports from agent Tops and Roberts my problems didn't start until after Smullen became my agent

1 so I wrote A 602 to Matt Gouhnaur on the sexual misconduct he did not Answer it at all

2 so I wrote A complaint to Risk Management of Humboldt county They sent me A writ of habeas Corpus

3 and I was paroled to A new agent Dan Foy

But once the false report start coming in I realized what was going on

4 so I wrote A 602 to Matt Gouhnaur on the false report he did not Answer any of the three 602s

5 so I rewrote 602 to Director of Corrections on the issue stating that the PA III was not responding

Director of Corrections screened out the 602 saying that Institution and parole staff are available to assist

6 so I wrote my counselor Malone and sent to her A few 602 on this matter and she has not responded in over 90 days on any of them

7 so I wrote the warden about the issue and the problem with the counselor malone and the warden forward all my 602 and complaint to my counselor malone where all my 602 still to this day set unanswered

8 and out of about 20, 602 sent in to the warden/counselor one of them came back saying that the problem with my parole agent and his Boss not Answering 602 should Be Appealed through the parole office

9 so with me realizing that I was getting A run around with the Appeal 602 process

I wrote A writ of habeas corpus to the Humboldt Superior court on the false reports and harassment from the parole office and stated that I exhaust the administrative remedies that were available and they Denied it say I did not exhaust administrative remedies

10 so I filled out 602 to the Appeals Coordinator about all my 602 not being Answered I have not got A response yet although I have sent in 5 602 over A month Ago

11 so I thin wrote two writ of habeas corpus to the Marin Superior court on my 602 not Being answered and the run around I am getting with CDCR administrative remedies

12 also up top I forgot that I put A request in to records for Documents to help me in my case that was over 80 days ago still no response so I 602 it to the warden and the appeals Coordinator and the counselor malone over 40 days ago

and I wrote to the Director of Corrections each time the Director sent Back A letter saying seek help with institution and parole staff two weeks ago I spoke with the Lt of west Block who took my name and # and said he would find out why my request and 602 are not Being Answered he has not got around to it yet

14. There are other issue here to I have 602 once A week on me not Being given access to the law library and writing paper and copies Because I am

Indigent and without funds I have 8 FOIA in on the law library for 8 weeks now I have not gotten to go on none of the FOIA's have been answered

15 also Indigent Inmates should get writing paper and I have FOIA's this and not got An Answer

16 These thing are also written in my two writs to marin Superior Courts and also shown as Exhibits in this case

Now I am continuing to seek administrative responses and at this point San Quentin is only proving that there is know administrative remedies and the appeal process here is only to prevent Inmate access to the court and is in violation of prisoners Rights there for I am asking to Add the San Quentin warden and my counselor malone to my complaint under the Civil Rights Act 42 USC §§1983 it come down to how much harassment and run around an Inmate has to take Before to court says that enough and even though the prison is not Doing this to assist the parole agents it should Be Known that this is the Normal practice and They are in violation of prisoners Right alone with the \$50000 That I am Asking from each defendant I am Asking that the Appeal process Be rewritten and the FOIA Be burden copies to where the Inmate has A signed and Dated receipt for each Level of the appeal process

also I have ask the courts for an temporary Restraining order But the Eureka parole office has informed me that my parole has Been transferred to another county one Where I have never Been and I will Be homeless there when in this case I have Ask for my parole to Be move to San Francisco.

where there are programs and help for me  
also I have ask the courts to send me one master  
copy of the full complaint with Now Six prove of Summan  
Because I am an Inmate of the state who is Indgent without  
fund or A copier serves and have not had assistance of the  
prison or state and Been Denied Law Library for 8 weeks now

I declare under penalty of perjury that the foregoing  
is true and correct

Signed this 20 day of July 2008

James E Lawson  
James E Lawson T-77697

Please

KecP in mind that the prison couldn't even handle filling out the trust  
account sheet for my 1983 form which I also G02 and did not get and  
Answer to

**INMATE APPEALS BRANCH**

1515 S Street, Sacramento, CA 95814  
 P.O. Box 942883  
 Sacramento, CA 94283-0001

*Exhibit 1*



July 2, 2008

*CV083349 VRw(PR)*

LAWSON, JAMES, T77697  
 California State Prison, San Quentin  
 San Quentin, CA 94964

RE: IAB# 0734980 CASE INFO/RECORDS

Mr. LAWSON:

The Inmate Appeals Branch, California Department of Corrections and Rehabilitation (CDCR) acts for the Director, Division of Adult Institutions, at the third level of appeal. The Branch examines and responds to inmate and parolee appeals that are submitted on a CDC Form 602, Inmate/Parolee Appeal Form, after the institution or parole region has responded at the Second Level of Appeal.

Institution and parole staff are available to assist you in obtaining additional copies of forms and documents required to submit an appeal. The inmate library offers resources and assistance to obtain general information regarding regulations, procedures, policies, and government agency addresses. Additionally, your assigned Counselor or Parole Agent, or the Appeals Coordinator can answer any questions you may have regarding the appeals process. The Inmate Appeals Branch appreciates your responsible use of the appeal system to address your grievance.

The Inmate Appeals Branch has received an appeal from you and has determined that it does not comply with the appeal procedures established in California Code of Regulations (CCR) Title 15, Article 8, and is being screened-out and returned to you pursuant to CCR 3084.3 for the following reason(s):

The action you are requesting is not an appeal issue. You may contact your assigned Counselor for further information regarding your issue.

Request for information is not an appeal issue. Please submit request for interview to your counselor.

*N. Grannis*

N. GRANNIS, Chief  
 Inmate Appeals Branch

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_

1. \_\_\_\_\_

6

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
James E Lawson	T-77697		2W72

A. Describe Problem: I am fileing A 602 /1983 civil Rights complaint form on The Eureka parole office and I need A copy of every report and statment that has Been file By Darren Smallen Dan Fay & Matt Goughnour from 2-20-07 until now I need special condition report / violations Disposition / Recommendation Notice And Request / Legal Status Summary / and All charge sheets and statement from parole Agent

If you need more space, attach one additional sheet.

B. Action Requested: Please send me these with out Delay

My request Was never Answered or Returned

Inmate/Parolee Signature: James E Lawson

Date Submitted: 6-1-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

INMATE APPEALS BRANCH

RECEIVED

JUN - 6 2008

Request  
INFO  
Appeal  
Submit  
for  
Inmate  
Review  
to  
Coordinator

Staff Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by completed \_\_\_\_\_

CDC Appeal Number: \_\_\_\_\_

Board of Control form BC-1E, Inmate Claim

0734980



T77697